

**TRANSLATION**

**PATENT COOPERATION TREATY**

**PCT**

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>QU01H10/P-WO1</b>	<b>FOR FURTHER ACTION</b>	See Form PCT/IPEA/416
International application No. <b>PCT/EP2004/007964</b>	International filing date ( <i>day/month/year</i> ) <b>16.07.2004</b>	Priority date ( <i>day/month/year</i> ) <b>23.12.2003</b>
International Patent Classification (IPC) or national classification and IPC <b>B05C5/02</b>		
Applicant <b>QUISS GMBH</b>		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.
3.	This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> ( <i>sent to the applicant and to the International Bureau</i> ) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> ( <i>sent to the International Bureau only</i> ) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4.	This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-15 as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- nos. 1-30 as originally filed/furnished
- nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- sheets 1/12-12/12 as originally filed/furnished
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>2-30</u>	YES
		Claims <u>1</u>	NO
	Inventive step (IS)	Claims <u>2-14, 16-30</u>	YES
		Claims <u>1, 15</u>	NO
	Industrial applicability (IA)	Claims <u>1-30</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
1.	The present report makes reference to the following documents:		
	D1: US 4 724 302 A (PENNEY CARL M ET AL) 9 February 1988 (1988-02-09)		
	D2: DE 100 48 749 A (SCHUCKER JOSEF) 11 April 2002 (2002-04-11)		
	D3: US 5 402 351 A (BATCHELDER JOHN S ET AL) 28 March 1995 (1995-03-28).		
2.	INDEPENDENT CLAIM 1		
2.1	The present application fails to satisfy the requirements of PCT Article 33(1) because the subject matter of claim 1 lacks novelty (PCT Article 33(2)).		
	Document D1 discloses (the references in parentheses are to said document):		
	<b>a method for the automatic application and monitoring of a structure to be applied to a substrate:</b>		
	/...		

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<ul style="list-style-type: none"><li>- the establishment of a reference contour in a forward direction by a first camera (26) and the use of the images recorded by the first camera (26) being used for guiding a unit (10) for applying the structure to be applied (see column 3, line 67 to column 4, line 4 and figure 1);</li><li>- the structure to be applied being applied to the substrate by the application unit (10) in accordance with the reference contour established by the first camera; and</li><li>- the structure applied to the substrate by the application device being monitored by a second, following camera (28) (see figure 1 and column 4, lines 4-20).</li></ul> <p>3. INDEPENDENT CLAIM 15</p> <p>3.1 The present application fails to satisfy the requirements of PCT Article 33(1) because the subject matter of claim 15 does not involve an inventive step (PCT Article 33(3)).</p> <p>3.1.1 Document D1 is considered to be the prior art closest to the subject matter of claim 15. Said document discloses (the references in brackets are to document):</p> <p><b>a device for the automatic application and monitoring of a structure to be applied to a</b></p> <p style="text-align: right;">/...</p>

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

substrate by means of a method as per claim 1, a sensor unit being provided; said device being characterised in that the sensor unit is composed of two cameras (26, 28), the cameras being arranged about a unit (10) for applying the structure to be applied and being disposed thereupon in such a way that one camera (26) is provided for the forward direction for controlling the application unit by means of a reference contour (12) and a second, following camera (28) is provided for the real-time online monitoring of the structure applied to the substrate.

3.1.2 The subject matter of claim 15 therefore differs from that known from D1 by virtue of:

**the provision of a lighting module.**

3.1.3 The problem addressed by the present invention can consequently be regarded as that of:

**ensuring that the camera has a clear and complete field of vision.**

3.1.4 The solution to the above problem, as proposed in claim 1 of the present application, cannot be considered inventive (PCT Article 33(3)) for the following reasons:

**D2 discloses a lighting module of this type (see column 4, line 42).**

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3.1.5 A person skilled in the art would therefore, without inventive input, combine all the features disclosed in D1 and D2 in order to solve the problem of interest. In consequence, the solution to the above problem, as proposed in claim 15 of the present application, cannot be considered inventive (PCT Article 33(3)).